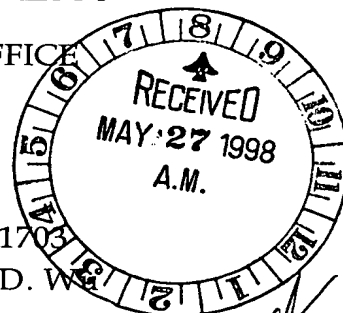


GAU 1703 1713

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Pak-Wing Steve Chum, et al.

Serial No.: 08/834,050

Filed: April 11, 1997

Attorney Docket No.: 40121BL

Art Unit: 1703

Examiner: D. W.

For: ETHYLENE POLYMER FILM MADE FROM ETHYLENE
POLYMER BLENDS

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5-19-98

DATE OF SIGNATURE

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

Sir:

RESPONSE A

The following is responsive to the Office Action mailed February 19, 1998 (paper number 4) wherein the PTO rejected all pending claims, Claims 9-31. Also submitted herewith is a photocopy of the Third Markovich Declaration which was originally submitted during the examination of related application number 08/544,497. Applicants respectfully request reconsideration of the present invention in view of the Third Markovich Declaration and the amendments and remarks that follow.

Applicants have discovered an omission in the priority claim asserted in the Declaration originally filed April 11, 1997 with the above-identified application number 08/834,050. This omission was also carried-over to the Filing Receipt and as

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such Applicant submit the Filing Receipt for the above-identified application number is incorrect. Specifically, Applicants note that the priority/continuity claim to great-grandparent application number 08/054,379 and grandparent application number 08/378,988 is omitted, as the intent to make such a claim is clearly set forth in the present specification under the heading "Cross-Reference to Related Applications" at page 1, lines 2-17 as entered by the Pre-Examination Amendment, filed December 11, 1997.

The Examiner will recall that similar omissions occurred in conjunction with application numbers 08/544,497 and 08/475,737, which were subsequently corrected by submission of Supplemental Declarations.

Although not originally claimed in the Declaration mailed April 11, 1997, Applicants believe the subject matter of the above-identified application (application number 08/834,050) is entitled to the priority filing date of great-grandparent application number 08/054,379, filed April 28, 1993, now abandoned. Applicants believe the presently claimed subject matter of '050 satisfies 35 U.S.C. § 120 in regards to copendency, continuity of disclosure, continuity of inventorship and cross-referencing and, as such, is entitled to the benefit of the effective filing date of April 28, 1993.

As support for this priority claim, Applicants submit below facts and support which demonstrate the present application is entitled to the benefit of the filing date of great-grandparent application number 08/054,379, filed April 28, 1993. Also, as further discussed below, recognition of the effective filing date of April 28, 1993, obviates any outstanding rejection under 35 U.S.C. § 102(e) as being anticipated by or, in the alternative, under 35 U.S.C § 103 as obvious over Lai et al. '004.

Applicants will submit, promptly at a later date, under a separate transmittal, a new Supplemental Declaration attesting to their priority claim.

Also submitted herewith is an Information Disclosure Statement pursuant to 37 C.F.R. § 1.97.